IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 18th day of November, 2002

Criminal Misc. Bail Application Number 1235 of 2002

Order on the Bail Application

CRIMINAL SIDE

Ashwani Mittal son of Sri Santa Prasad Mittal, r/o Dev Pura, P.S. Kotwali, District Hardwar

……..Applicant(s)

Versus

State of Uttaranchal. …….. Opposite Party

Arising out of - Case crime no. 419 of 2002,
Under sections 147, 149, 302, 307 and 120B/34 of I.P.C.,
P.S. Jwaqlapur,
District Hardwar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused, the Government Advocate and Sri Rajendra Singh, Advocate appearing on behalf of the complainant.

This is triple murder case. According to the prosecution version the applicant-accused has conspired for commission of these murders. The motive alleged is that victrim Ram Singh was not wiling to part with the landed property regarding which there was agreement in favour of the wife of the applicant-accused, who has power of attorney in his favour. The land is valuable one as the agreement was executed for Rs.22 lacs and there can be no doubt that the value had enhanced to a great extent. Considering the motive and allegation of the conspiracy I am of the view that it is not a fit case for bail.

Rejected.

(Irshad Hussain, J.)

18.11.2002./B.